

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Charlita D. Lattimore)	
)	
Certificate # 219227)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on Tuesday, December 7, 2004. On October 25, 2004, the Office of Teacher Education and Certification sent Charlita D. Lattimore a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee. Ms. Lattimore received the notice, as evidenced by the signed postal receipt. On November 5, 2004, Ms. Lattimore wrote the Office of General Counsel and stated that she did not want a hearing. After considering the evidence presented, the State Board voted to suspend Ms. Lattimore's certificate for one year.

FINDINGS OF FACT

Ms. Lattimore holds a valid certificate, and has over two years teaching experience. Ms. Lattimore was hired as a speech therapist at Hendrix Elementary School in Spartanburg County School District Two (District). On September 17, 2004, Ms. Lattimore gave written notice of her resignation effective, October 1, 2004, citing "personal reasons/circumstances". On September 17, 2004, the District wrote to Ms. Lattimore requesting she comply with her contract. In response, Ms. Lattimore wrote back to the District on September 23, 2004, stating she was aware of the District's policy regarding breach of contract but her last day of employment would still be October 1, 2004.

On October 12, 2004, the District Board of Trustees voted to request suspension of Ms. Lattimore's certificate as a result of her breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Ms. Lattimore breached her contract with the Spartanburg School District Two, warranting the suspension of Ms. Lattimore's certificate # 219227 for a period of one year, from December 7, 2004, through December 8, 2005. Should Ms. Lattimore wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Mary Jones

Dr. Mary Jones

Chair

Columbia, South Carolina

December 7, 2004